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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,603	01/17/2006	Xiangdong Liu	L4050.0004	4708
32172	7590	09/21/2006	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 1177 AVENUE OF THE AMERICAS (6TH AVENUE) 41 ST FL. NEW YORK, NY 10036-2714			BUI, BING Q	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/539,603

Applicant(s)

LIU ET AL.

Examiner

Bing Q. Bui

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>01/17/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-7 are pending in the application for examination, wherein claim 1 being independent.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Irvin (US Pat No. 6,418,211).

Regarding claim 1, Irvin teaches a method of calling service among devices in home network, comprising steps of:

a. a service calling party obtains a service handle of the called service by using the characterized information of the service, sends a service calling request information to a called party by using the obtained service handle (see fig 2 and col. 4, lns 45-63);

b. the protocol stack of the called party determines whether or not the called service exists based on the service handle of the called service contained in the

request information and whether or not the called service has established a renting relationship with the service calling party after receiving the request information, if it is, the called sends service call response message containing service call result to the service calling party and proceeds into step c; otherwise, the flow is ended (see fig 2 and col. 4, lns 45-63);

c. after receiving the service call response message, the protocol stack of the service calling party determines whether or not the service exist in the calling party based on the service handle of the calling service included in the response message, and whether or not the calling service has established a renting relationship with the called party, if it is, the service calling party and the called party start the actual interacting processing of the service call; otherwise, the flow is ended (see fig 2 and col. 4, lns 45-63).

Regarding claim 2, Irvin teaches the method according to claim 1, further comprising the step of obtaining a service handle for uniquely identifying the service after the service registration of the each of the services is successful (see fig 2 and col. 4, lns 45-63).

Regarding claim 3, Irvin teaches the method according to claim 1, wherein the step a of obtaining said service handle further comprising the steps of:

al. the service calling party search whether or not the called service exist in local protocol stack by using the characteristic description of the called service, if it is, the service handle of the called service is returned, and end the searching process; if not,

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step a2 will be executed (see fig 2 and col. 4, lns 45-63);

a2. the service calling party search whether or not the called service exist in other home network devices by using the characteristic description of the called service, if it is, the service handle of the called service is returned, and set the party which can provide the called service as the called party; otherwise, the flow will be ended (see fig 2 and col. 4, lns 45-63).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin '211 in view of well known feature in the art.

As to claim 4, it is so well known that today, a communication user can simultaneously possess a plurality of communication devices such as home telephone, office telephone, cell phone, personal data assistance, personal computer, etc., and sequentially alerting these devices for reaching the user is so practically use for a number of decades. As to claims 5 and 6, It is also known for a number of years that when a call made by a caller runs into busy or non-answer at destination, the caller may request the call recipient user to call him back.

Allowable Subject Matter

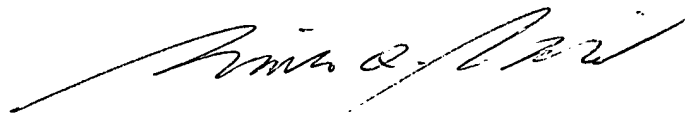
6. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui, Tel. No. (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response ☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

17 Sep 2006



**BING Q. BUI
PRIMARY EXAMINER**